



BRB No. 19-0201 BLA  
Case No. 2013-BLA-05933

DALE L. ALLEN	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	
ISLAND CREEK KENTUCKY MINING	)	
COMPANY	)	
	)	
and	)	
	)	DATE ISSUED: 01/12/2021
ISLAND CREEK COAL COMPANY	)	
	)	
Employer/Carrier-	)	
Petitioners	)	
	)	
DIRECTOR, OFFICE OF WORKERS'	)	
COMPENSATION PROGRAMS, UNITED	)	
STATES DEPARTMENT OF LABOR	)	ORDER on MOTION for
	)	RECONSIDERATION
Party-in-Interest	)	EN BANC

Employer has filed a timely motion for reconsideration en banc of the Benefits Review Board's Decision and Order affirming in part and vacating in part the administrative law judge's award of benefits in this case. *Allen v. Island Creek Kentucky Mining Co.*, BRB No. 19-0201 BLA (May 27, 2020) (unpub.). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a). The Director, Office of Workers' Compensation Programs, responds in support of the Board's decision, to which Employer replies. After consideration of Employer's contentions and review of the Board's disposition of this case, no member of the Board voted to grant Employer's motion. Consequently, Employer's motion for reconsideration en banc is denied. 20 C.F.R. §§801.301(b), (c), 802.407(b), (d), 802.409.

By Order of the Board:

Thomas O. Shepherd, Jr.  
Clerk of the Appellate Boards